- Section 38-72-69. (A)(1) An individual may not sell, solicit, or negotiate long term care insurance unless the individual is licensed as an insurance producer for accident and health or life and has completed a one-time training course by July 1, 2009, and ongoing training every twenty-four months after that time. The training must meet the requirements provided in subsection (B).
- (2) The training requirements of subsection (B) may be approved as continuing education courses under Section <u>38-43-106</u>.
- (B)(1) The one-time training required by this section must be no less than eight hours and the ongoing training required by this section must be no less than four hours.
- (2) The training required under item (1) consists of topics related to long term care insurance, long term care services, and, if applicable, qualified state long term care insurance partnership programs including, but not limited to:
- (a) state and federal regulations and requirements and the relationship between qualified state long term care insurance partnership programs and other public and private coverage of long term care services including Medicaid;
- (b) available long term care services and providers;
- (c) changes or improvements in long term care services or providers;
- (d) alternatives to the purchase of private long term care insurance;
- (e) the effect of inflation on benefits and the importance of inflation protection; and
- (f) consumer suitability standards and guidelines.
- (3) The training required by this section does not include training that is insurer or company product specific or that includes any sales or marketing information, materials, or training, other than those required by state or federal law.
- (C)(1) An insurer subject to the provisions of this chapter shall obtain verification that a producer receives training required by subsection (A)(1) before a producer is permitted to sell, solicit, or negotiate the insurer's long term care insurance products, maintain records subject to the state's record retention requirements, and make that verification available to the director upon request.
- (2) An insurer subject to the provisions of this chapter shall maintain records with respect to the training of its partnership policies that allows the Department of Insurance to provide assurance to the state Medicaid agency that producers have received the training contained in subsection (B)(2)(a) as required by subsection (A)(1) and that producers have demonstrated an understanding of the partnership policies and their relationship to public and private coverage of long term care, including Medicaid, in this State. These records must be maintained in accordance with the state's record retention requirements and must be made available to the director upon request.
- (D) The satisfaction of these training requirements in any state are considered to satisfy the training requirements in this State."